



Cargo Waiting Time Reduction

Report to Congress

August 18, 2023



U.S. Coast Guard

Foreword

August 18, 2023

I am pleased to present the following report, “Cargo Waiting Time Reduction,” prepared by the U.S. Coast Guard.

The Don Young Coast Guard Authorization Act of 2022 directs submission of a report that explains the extent vessels carrying cargo comply with requirements of chapter 700, Title 46, United States Code, and the investigation status on the cause of the October 2021, oil spill on waters over the San Pedro Shelf.

Pursuant to Congressional requirements, this report is provided to the following members of Congress:

The Honorable Maria Cantwell
Chair, Senate Committee on Commerce, Science, and Transportation

The Honorable Ted Cruz
Ranking Member, Senate Committee on Commerce, Science, and Transportation

The Honorable Sam Graves
Chairman, House Committee on Transportation and Infrastructure

The Honorable Rick Larsen
Ranking Member, House Committee on Transportation and Infrastructure.

I would be pleased to answer any questions you may have, or your staff may contact my Senate Liaison Office at (202) 224-2913 or House Liaison Office at (202) 225-4775.

Sincerely,



Linda L. Fagan
Admiral, U.S. Coast Guard
Commandant





Cargo Waiting Time Reduction

Table of Contents

I. Legislative Language	1
II. Report.....	2
III. Conclusion	3
Appendix: Abbreviations	4

I. Legislative Language

This report responds to the language set forth in Section 11270 of the Don Young Coast Guard Authorization Act of 2022 (Pub. L. No. 117-263), which reads:

SEC. 11270. CARGO WAITING TIME REDUCTION

Not later than 90 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

- (1) an explanation of the extent to which vessels carrying cargo are complying with the requirements of chapter 700 of title 46, United States Code;
- (2) the status of the investigation on the cause of the oil spill that occurred in October 2021 on the waters over the San Pedro Shelf related to an anchor strike, including the expected date on which the Marine Casualty Investigation Report with respect to such spill will be released; and
- (3) with respect to such vessels, a summary of actions taken or planned to be taken by the Commandant to provide additional protections against oil spills or other hazardous discharges caused by anchor strikes.

II. Report

The Coast Guard assessed vessel compliance related to cargo vessel safe transit in port access routes and anchorage grounds occurring in the ordinary course of maritime commerce. Virtually all vessels carrying cargo entering and departing ports with established port access routes or routing systems use these measures and comply with requirements outlined in chapter 700, of Title 46, U.S.C. Measures, such as traffic separation schemes, fairways, precautionary areas, and areas to be avoided, help reduce risk of collision, allision, or grounding, and provide for vessel transit predictability. In ports with a Coast Guard Vessel Traffic Service (VTS), the Code of Federal Regulations (33 C.F.R. 161) identifies vessels required to participate in VTS and may include vessels carrying cargo. The VTS Director is delegated the authority to monitor and direct vessels in federal anchorage grounds. The owner, operator, charterer, or master of a vessel always remains responsible for the safety and safe operation of the vessel.

The Coast Guard continues to serve as the lead federal agency for the investigation into the October 2021 San Pedro Shelf oil spill incident in conjunction with the National Transportation Safety Board (NTSB), the Department of the Interior's Bureau of Safety and Environmental Enforcement and the Department of Transportation's Pipeline and Hazardous Materials Safety Administration. Completion of the Coast Guard's Report of Investigation into the October 2021, oil spill is dependent on analysis of a section of failed pipeline removed from the seafloor in November 2022. The NTSB has custody of the damaged section of pipeline at their laboratory in Washington, D.C. **The NTSB's laboratory factual report is undergoing technical review by the Parties to the investigation.** Upon completion of the failure analysis, the fact-finding portion of the marine casualty investigation will be complete, and the Coast Guard can finalize its report and issue potential safety recommendations to help prevent a similar occurrence. The final report is expected to be published in calendar year 2023.

Regarding Coast Guard actions to provide additional protections against oil spills or other hazardous discharges caused by anchor strikes, on May 13, 2022, the Coast Guard issued *Policy Letter CG-WWM 02-22*, directing operational commanders to evaluate the risk profile of established anchorage grounds within their areas of responsibility. In accordance with the policy letter, risk assessments must include outreach to the maritime industry and will be updated every seven years. The anchorage ground risk assessment will address general navigational safety, protection of the marine environment, U.S. national security, and potential risks arising from proximity to subsea pipelines, cables, tunnels, or other infrastructure. The Coast Guard will use risk assessment outcomes to determine if anchorage ground regulations require updating. The Coast Guard remains committed to the safety, security, and environmental protection of the Nation's waterways.

III. Conclusion

Authorities outlined in chapter 700, of Title 46, U.S.C. are Coast Guard tools to facilitate commerce and protect the American public. Traffic separation schemes and fairways and anchorage grounds are crucial to the safe transport of goods and people to and from the U.S. These elements of the marine transportation system are designed to meet the needs of industry and promote safe navigation. Elements such as charted traffic separation schemes and fairways are instrumental for marine safety and commerce that signal good water and enable global trade. Whereas anchorage grounds provide dedicated areas, outside of shipping lanes, where vessels may wait for dock space and facilitate shipboard food and material replenishment, repairs, crew changes, medical evacuations, and bunkering.

Managing risk in the maritime domain is an iterative process that the Coast Guard takes seriously. The directives in *Policy Letter CG-WWM 02-22* demonstrate the Coast Guard's commitment to the Nation's waterways, enabling maritime commerce, and safeguarding the environment.

Appendix: Abbreviations

Abbreviations	Definition
C.F.R.	Code of Federal Regulations
NTSB	National Transportation Safety Board
VTs	Vessel Traffic Service
U.S.C.	United States Code